

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:16 CV 157**

HOWARD MILTON MOORE, JR., and)	
LENA MOORE,)	
)	
Plaintiffs)	
)	<u>ORDER</u>
v)	
)	
3M COMPANY, et al.,)	
)	
Defendants.)	

THIS MATTER is before the undersigned pursuant to a pleading entitled “Plaintiffs’ Opposition to Defendants’ Motion for Protective Order From the Second Videotaped Deposition of Howard Milton Moore and Request for Leave to take such Deposition” (#145).

LCvR 7.1(C)(2) states as follows:

(B) Motions Not to Be Included in Responsive Briefs. Motions shall not be included in responsive briefs. Each motion should be set forth as a separately filed pleading.

The pleadings of the Plaintiffs (#145) and (#146) is in violation of the Rule. Therefore the portion of Plaintiffs’ Motion requesting leave to take a second deposition will be denied without prejudice. Should Plaintiffs wish to request such relief, the Plaintiffs will be required to file a separate motion as required by LCvR

7.1(C)(2) and will further be required to satisfy the requirement of consultation as set forth in LCvR 7.1(B).

ORDER

IT IS, THEREFORE, ORDERED that Plaintiffs' Request for Leave to Take Such Deposition (#145) will be **DENIED** without prejudice.

Signed: May 8, 2017

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

